

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

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REV. STEVEN SOOS, REV. NICHOLAS STAMOS,  
JEANETT LIGRESTI, as parent and guardian of infant  
plaintiffs, P.L. and G.L., DANIEL SCHONBURN,  
ELCHANAN PERR, MAYER MAYERFELD, MORTON  
AVIGDOR,

**DECLARATION OF ELLEN  
PARODI**

20-CV-00651

Plaintiffs,

-against-

ANDREW M. CUOMO, Governor of the State of New  
York, in his official capacity, LETITIA JAMES, Attorney  
General of the State of New York in her official capacity,  
KEITH M. CORLETT, Superintendent of the New York  
State Police, in his official capacity, HOWARD A.  
ZUCKER, M.D., New York State Commissioner of Health,  
in his official capacity, BETTY A. ROSA, Interim  
Commissioner of the New York State Education  
Department, in her official capacity, EMPIRE STATE  
DEVELOPMENT CORPORATION (“ESD”), a New York  
State Public Benefit Corporation, BILL DE BLASIO,  
Mayor of the City of New York, in his official capacity,  
DR. DAVE A. CHOKSHI, New York City Commissioner  
of Health, in his official capacity, TERENCE A.  
MONAHAN, Chief of the New York City Police  
Department, in his official capacity, RICHARD  
CARRANZA, Chancellor of the New York City  
Department of Education in his official capacity,

Defendants.

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**ELLEN PARODI**, declares pursuant to 28 U.S.C. § 1746, under penalty of  
perjury, that the following is true and correct:

1. I am an Assistant Corporation Counsel in the office of James E. Johnson,  
Corporation Counsel of the City of New York, attorney for Defendants Mayor Bill De Blasio,  
Dr. Dave A. Chokshi, Terence A. Monahan, and Richard Carranza (collectively “City

Defendants”), in the above-captioned action. I am familiar with the facts stated below and submit this declaration to place on the record relevant documents in support of City Defendants’ Memorandum of Law in Opposition to Plaintiffs’ Motion for a Temporary Restraining Order and Preliminary Injunction.

2. Attached as Exhibit 1 are true and correct copies of New York State Executive Order No. 202.3 entitled “Continuing Temporary Suspension and Modification of Laws Relating to the Disaster Emergency,” signed by Governor Andrew M. Cuomo on March 16, 2020; *also available at* [https://www.governor.ny.gov/sites/governor.ny.gov/files/atoms/files/EO\\_202.3.pdf](https://www.governor.ny.gov/sites/governor.ny.gov/files/atoms/files/EO_202.3.pdf) (last visited October 19, 2020), New York State Executive Order No 202.5 entitled “Continuing Temporary Suspension and Modification of Laws Relating to the Disaster Emergency,” signed by Governor Andrew M. Cuomo on March 18, 2020; *also available at* [https://www.governor.ny.gov/sites/governor.ny.gov/files/atoms/files/EO\\_202\\_5.pdf](https://www.governor.ny.gov/sites/governor.ny.gov/files/atoms/files/EO_202_5.pdf) (last visited October 19, 2020), and New York State Executive Order No. 202.19 entitled “Continuing Temporary Suspension and Modification of Laws Relating to the Disaster Emergency,” signed by Governor Andrew M. Cuomo on April 17, 2020; *also available at* [https://www.governor.ny.gov/sites/governor.ny.gov/files/atoms/files/EO\\_202.19.pdf](https://www.governor.ny.gov/sites/governor.ny.gov/files/atoms/files/EO_202.19.pdf) (last visited October 19, 2020).

3. Attached as Exhibit 2 is a true and correct copy of New York State Executive Order No. 202.68 entitled “Continuing Temporary Suspension and Modification of Laws Relating to the Disaster Emergency,” signed by Governor Andrew M. Cuomo on October 6, 2020; *also available at*

<https://www.governor.ny.gov/sites/governor.ny.gov/files/atoms/files/EO202.68.pdf> (last visited October 19, 2020).

4. Attached as Exhibit 3 is a true and correct copy of the Memorandum & Order in the case *The Roman Catholic Diocese of Brooklyn, New York v. Governor Andrew M. Cuomo*, 20-cv-4844 (E.D.N.Y. Oct. 16, 2020).

5. Attached as Exhibit 4 is a true and correct copy of the “New York Forward” Guidance entitled “Phase Two Industries,” New York State, *also available at* <https://forward.ny.gov/phase-two-industries> (last visited Oct. 19, 2020).

6. Attached as Exhibit 5 is a true and correct copy of the New York State Guidance document entitled “Interim Guidance for Low-Risk Indoor Arts & Entertainment During the COVID-19 Public Health Emergency,” New York State, *also available at* <https://www.governor.ny.gov/sites/governor.ny.gov/files/atoms/files/Lowriskindoorartsandentertainment-MasterGuidance.pdf> (last visited Oct. 19, 2020).

7. Attached as Exhibit 6 is a true and correct copy of “Governor Cuomo Announces Indoor Dining in New York City Allowed to Resume Beginning September 30 with 25 Percent Occupancy Limit,” New York State, *also available at* <https://www.governor.ny.gov/news/governor-cuomo-announces-indoor-dining-new-york-city-allowed-resume-beginning-september-30-25> (last visited Oct. 19, 2020).

8. Attached as Exhibit 7 are true and correct copies of “Reopening New York: Guidelines for In-Person Instruction at Pre-K to Grade 12 Schools,” New York State, *also available at* [https://www.governor.ny.gov/sites/governor.ny.gov/files/atoms/files/P12\\_EDU\\_Summary\\_Guidelines.pdf](https://www.governor.ny.gov/sites/governor.ny.gov/files/atoms/files/P12_EDU_Summary_Guidelines.pdf) (last visited Oct. 19, 2020) and “Interim Guidance For In-Person Instruction at Pre-K to Grade 12 Schools During the COVID-19 Public

Health Emergency,” New York State, *also available at* [https://www.governor.ny.gov/sites/governor.ny.gov/files/atoms/files/Pre-K\\_to\\_Grade\\_12\\_Schools\\_MasterGuidance.pdf](https://www.governor.ny.gov/sites/governor.ny.gov/files/atoms/files/Pre-K_to_Grade_12_Schools_MasterGuidance.pdf) (last visited Oct. 20, 2020).

9. Attached as Exhibit 8 is a true and correct copy of “De Blasio warns against violence after Cuomo’s new virus rules enrage the Orthodox community,” Politico, October 8, 2020, *available at* <https://www.politico.com/news/2020/10/08/de-blasio-cuomo-orthodox-427847> (last visited Oct. 19, 2020).

10. Attached as Exhibit 9 is a true and correct copy of “Reopening New York: Guidelines for Religious and Funeral Services,” New York State, *also available at* <https://www.governor.ny.gov/sites/governor.ny.gov/files/atoms/files/ReligiousandFuneralServicesSummaryGuidance.pdf> (last visited Oct. 19, 2020).

11. Attached as Exhibit 10 is a true and correct copy of the screenshot of the docket report of *Agudath Israel of America, et al. v. Cuomo*, 20-cv-4834 (E.D.N.Y. Oct. 9, 2020) as of the date of this Declaration.

Dated: New York, New York  
October 20, 2020

\_\_\_\_\_/s/  
Ellen Parodi  
Assistant Corporation Counsel  
(admitted *pro hac vice*)